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Seventeenth session

SUMMARY RECORD OF THE 353rd MEETING

Held at Headquarters, New York,
on Friday, 18 July 1997, at 3 p.m.

Chairperson: Ms. KHAN
later: Ms. ABAKA
(Vice-Chairperson)
later: Ms. KHAN
(Chairperson)

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The meeting was called to order at 3.20 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third periodic report of Australia (continued) (CEDAW/C/AUL/3)

1. At the invitation of the Chairperson, Ms. Nairn (Australia) took a place at the Committee table.

Article 10

2. Ms. NAIRN said that an evaluation of the Open Learning Initiative conducted by the University of Melbourne from March 1994 to January 1996, had found that the goals set for the Initiative had been substantially met in the three years following its establishment: access to tertiary education had been widened, within the established cost parameters; flexibility and, to a limited extent, innovation had been increased within the tertiary education sector; and the Initiative had built on the experience, expertise, course offerings and infrastructure of distance education and the pilot TV Open Learning project in the vocational education and training sector. While Commonwealth funding for open learning had ceased in 1996, the Commonwealth had a contractual agreement with the Open Learning Agency of Australia until 2003.

3. Since 1996, the Open Learning Agency had broadened its activities to include a more commercial focus, with an increasing emphasis on quality of product and service. While the Agency offered predominantly undergraduate subjects, a growing number of courses at institutions of technical and further education and modules were available, and graduate and bridging courses were provided. Since 1993, women had comprised well over half of the Agency's students. In 1996, women had accounted for some 55 per cent of the more than 9,200 students.

4. In 1991, it had been estimated that approximately 1 million Australian adults had literacy problems. That number included approximately 300,000 adult immigrants with little or no English. A gender breakdown for those numbers was not available. A national survey of adult literacy had been undertaken by the Australian Bureau of Statistics and would be released in September 1997.

5. The Government had a role in improving participation and success rates of groups who were under-represented in higher education. It encouraged universities to develop appropriate strategies for those groups and provided seed funding for such initiatives under its Higher Education Equity Programme. Engineering and some branches of science and technology continued to be problem areas for women. For example, in 1996, the participation rate for women in engineering was still only 13.4 per cent, as compared with 10.7 per cent in 1991. The participation of women in non-traditional courses was often influenced by role models, and there was a need to encourage universities to be proactive in recruiting women to key academic positions.

6. Between 1991 and 1995, higher education enrolments by indigenous students had increased by 41.6 per cent. Indigenous student participation in education was currently broadly equivalent to their share of the population aged between 17 and 64. In recent years, the proportion of indigenous female students had increased. In 1995, females had made up 62.2 per cent of higher education enrolments by indigenous students. A number of the Australian National Training Authority's national projects and research projects had investigated the particular needs of indigenous communities and women and had promoted the best practice models to help build a more responsive system for indigenous clients.

7. Under Australia's federal system of government, school education at the primary and secondary levels was the responsibility of the states and territories. There had not been time to find out the action that each state and territory department of education and curriculum advisory body had taken with regard to textbooks.

Article 11

8. The report entitled Managing the work injury of women from non-English-speaking backgrounds had been widely disseminated. However, no evaluation had been made of its effectiveness in assisting women from non-English-speaking backgrounds to return to the workforce.

9. The Government's economic strategy sought to achieve the maximum sustainable rate of reduction in unemployment levels by increasing the pace of economic growth while maintaining low inflation. Its microeconomic policies were designed to improve the supply potential of the economy, improve the operation of markets and enhance worker skill levels. It was taking measures to ensure that appropriate adjustment programmes were implemented to assist workers through the transitional phases of structural reforms.

10. Gender-based occupational segregation was being addressed by the Government through policies to encourage women in non-traditional areas in the higher education and vocational education and training sectors. Since 1990, the Government had identified women in non-traditional areas as one of six equity target groups in Australia's higher education sector. A number of strategies were also in place to encourage women to train in non-traditional areas in the vocational education and training sector. With greater numbers of women training in non-traditional areas, it was expected that their participation in the workforce would widen and diversify.

11. The Workplace Relations Act, 1996, contained provisions that specifically addressed the issue of equal pay for work of equal value without discrimination based on sex. The Equal Pay and Workplace Relations Section of the Commonwealth Department of Industrial Relations was currently preparing Fair Pay: A Workplace Guide, which had been developed to inform employers of their statutory obligations with regard to pay-discrimination issues and to assist employers with compliance. The Guide described how pay discrimination could occur and covered a range of approaches for effectively addressing pay anomalies or disputes. It outlined relevant legislation on equal remuneration and provided information on non-discriminatory job evaluation and performance pay systems.

12. The current average period of unemployment for women seeking full-time employment was 50.3 weeks, as compared with 62.4 weeks for men. The current average period of unemployment for women seeking part-time employment was 43.9 weeks, as compared with 58.9 weeks for men.

13. The Women in Mining Towns Survey 1992-1993 had been carried out through the Rural Development Centre of the University of New England in Armidale, New South Wales. The Rural Women's Unit in the Department of Primary Industries and Energy was considering the issues raised in the survey, especially those relating to family violence.

14. In New South Wales, the Industrial Relations Act, 1996, provided a single set of provisions governing parental leave, incorporating maternity, paternity and adoption leave. The entitlement to paternal leave extended to all employees, including part-time employees but did not apply to seasonal or casual employees. The provision in the previous Industrial Relations Act enabling the employer to send the employee on maternity leave within six weeks of the date of confinement had been removed, since it had been considered that that provision could have been a form of indirect discrimination against women employees.

15. In the federal and state public sectors, the provision of paid maternity leave varied according to the sector: federal, 12 weeks; Australian Capital Territory, 12 weeks; Northern Territory, 12 weeks; New South Wales, 9 weeks; Queensland, 6 weeks; Victoria, 6 weeks; South Australia, none; Western Australia, none; and Tasmania, none, although public servants could use accrued sick leave for that purpose. In the private sector, paid maternity leave was generally determined at the enterprise level and, while not yet widely available, was being provided by an increasing number of organizations. Of the more than 2,500 organizations that had submitted affirmative action progress reports to the Affirmative Action Agency in 1995, 17 per cent reported that they provided paid maternity leave to their employees.

16. The Workplace Relations Act, 1996, contained extensive protection aimed at preventing and eliminating discrimination and promoting fair agreement-making and workplace relations. Recently, the Equal Pay and Workplace Relations Section of the Commonwealth Department of Industrial Relations had produced a number of publications to help women and their employers understand their employment rights and obligations. A series of four leaflets, Women and Workplace Agreements, had been published with a view to helping women employees understand the new workplace agreement-making arrangements under the Workplace Relations Act, 1996.

17. Since 1994, the Government had funded the establishment and operation of four working women's centres in New South Wales, Queensland, Northern Territory and Tasmania, and funding had been provided to an established South Australian centre for activities that included assistance to indigenous women. Working women's centres promoted equity in the workplace by providing information and assistance to women, including women from indigenous backgrounds. The centres had three broad objectives: to increase women's knowledge of the conditions, legal requirements and government policies relating to the workplace; to ensure that all women had access to working women's centres and their activities and

information; and to enhance existing services provided by employee, employer and other organization and ensure that there was no duplication of functions.

18. Australia had not ratified International Labour Organization (ILO) Convention 103 and ratification was currently not being pursued. While the provision of unpaid parental leave under the Workplace Relations Act, 1996, and the introduction of the maternity allowance had removed one impediment to compliance, several impediments remained. Since the Act had been in force only since 31 December 1996, it was impossible to determine the effects of the legislation. In 1995, consultation with state and territory governments had been carried out through the Standing Committee on Treaties with a view to removing the reservation. During the consultation process, state and territory governments had raised significant concerns, particularly regarding the potential imposition of a requirement or expectation that they would provide paid maternity leave at the state level. In the light of those concerns, Australia was currently not in a position to remove its reservation.

Article 12

19. Assisted reproduction was well established in Australia, and most techniques in common use would not be considered experimental. All units had protocols to ensure, as far as possible, that consent to be involved in procedures was fully informed. All units were subject to ethics-committee approval of procedures. Most units had well-developed support groups for individuals involved in the programmes. Nevertheless, many questioned whether two people who were desperate to conceive a child were capable of fully informed consent.

20. While the short-term side effects of hormones used in fertility treatments were well known, it would be many years before the long-term effects of assisted conception could be documented. In 1995, the National Health and Medical Research Council had published a report recommending the institution of a system of reporting, at the national level, of adverse effects of treatment, a series of specific research studies to examine the long-term effects on women of assisted conception, including investigation of any association with increased incidence of breast, ovarian and other cancers and a study to investigate long-term effects on the physical and psychological health of women, their partners and their families. The report also made recommendations concerning consent procedures. The Centre for the Study of Mother's and Children's Health was currently conducting a multi-centre study of cancer in women after fertility and in vitro fertilization and had also begun a study on the incidence of cancer in children born after in vitro fertilization. In vitro fertilization and other assisted reproductive technologies were currently being reviewed by the Australian Health Technology Advisory Committee. The review would examine the current status of the technology, including access, effectiveness, safety, health outcomes, cost-effectiveness and the impact on the health system.

21. The incidence of infertility in Australia was not known. The National Women's Health Policy of 1989 estimated that 10 to 15 per cent of heterosexual couples experienced some problem with fertility owing to difficulties in one or both partners. In 1994, there were 2,715 births after assisted conception, which represented 1 per cent of all births. Depending on the form of assisted

conception (in vitro fertilization or gamete intra-Fallopian transfer), live-born pregnancy rates varied between 10 and 20 per cent of treatment cycles. There was no federal legislation on assisted reproductive technology; it was the responsibility of the state and territory governments to legislate in that area. Contrary to suggestions in some media reports, lesbians wishing to conceive using donor sperm would be unlikely to require in vitro fertilization. The issue of access and eligibility for assisted reproductive technology raised difficult questions of law and policy and required further consideration. The Federal Government was currently considering its position on this issue.

22. Medicare benefits were payable for the assisted reproductive services listed in the Medicare Benefits Schedule (except when rendered in conjunction with surrogacy arrangements), provided that such services were "clinically relevant".

23. The health of ageing women was one of the seven priority health issues identified in the National Women's Health Policy. The Home and Community Care Programme was a joint federal state programme that funded community and government organizations to provide community care to frail aged people, people with disabilities, and their care-providers, living at home. In the financial year 1996/97, the Programme had provided some $743 million, 60 per cent of which was federal expenditure. The Programme helped around 220,000 people at any one time, 69 per cent of whom were female. The median age of care recipients was 77.

24. Access to abortion was a matter for state and territory governments and was covered by criminal law. In South Australia and Northern Territory there was a statutory clarification of the provisions dealing with abortion; in other states and territories, access was based on common law. In general, women had access to abortion during the first trimester of pregnancy when a medical practitioner was satisfied that continuation of the pregnancy would result in physical or mental harm to the woman.

25. Items relating to the lawful termination of a pregnancy had been on the Federal Government's Medicare Benefit Schedule since 1975. Services for patients in public hospitals were provided free of charge at the point of delivery. In private facilities, part of the cost of a termination of pregnancy under 12 weeks could be recovered through Medicare and private health insurance schemes. In August 1996, the Model Criminal Code Officers Committee, which had been established by the Standing Committee of Attorneys-General, had released chapter five of the Model Criminal Code on Non-fatal Offences against the Person, which included a recommended provision dealing with abortion. The recommendation was not final and did not represent the views of the Standing Committee of Attorneys-General or of any level of the Australian Government.

Article 13

26. The number of women recipients of Partner Allowance was 193,254 as at 30 June 1995 and 63,842 as at 30 June 1996. Since June 1995, the number of Partner Allowance recipients had decreased as a result of changes to payment arrangements for couples introduced in July 1995, at which time a large number of Partner Allowance recipients had transferred to Parenting Allowance. In

order to be eligible for a Partner Allowance, a person must either be legally married to another person and not living separately and apart from that person on a permanent or indefinite basis; or, having reached the age of consent, have a "marriage-like" relationship with a person of the opposite sex, provided that that person was not a brother, sister, ancestor or descendant. In forming an opinion about the relationship between two people, all the circumstances of the relationship were considered, particularly financial aspects, including any significant pooling of resources or joint ownership of assets; the nature of the household, including any joint responsibility for the care of children, and the living arrangements of the people; the social aspects of the relationship; any sexual relationship between people; and the nature of the people's commitment to each other, including the length of the relationship.

Article 14

27. The Commonwealth Department of Immigration and Multicultural Affairs had instituted a Community Grants Programme designed to assist migrants and refugees, particularly those newly arrived and from non-English speaking backgrounds, to settle in Australia. In the financial year 1995/96, nearly $A25 million had been spent under that Programme to address the needs of migrant women in rural and remote communities. Refugee women in difficult situations were being targeted as priority recipients for assistance in 1997/98. However, no information was available regarding the proportion such grants constituted in the overall funding going to rural women.

28. The Department of Primary Industries and Energy also funded projects directed at women through the Rural Access Programme. In 1995/96, 50 per cent of the annual budget had been allocated to projects targeting women; two projects had targeted women from non-English speaking backgrounds. In 1996/97, that proportion had been reduced to 33 per cent, and a total of $A177,978 had been allocated to women's projects, most of which had funded projects targeting women from non-English speaking backgrounds. Since women and people from non-English speaking backgrounds were not well represented in sustainable agriculture and natural resource management activities, the Government was considering a range of measures to remedy that situation.

29. Access to services for migrant women varied from state to state because of factors such as general population distribution and distance from major population centres. However, those factors influenced access to services for all sectors of the population living in isolated or remote regions, not just migrant women. The Translating and Interpreting Service of the Commonwealth Department of Immigration and Multicultural Affairs, which provided free telephone interpreting services, had been developed to assist migrant women in rural and remote areas obtain access to services.

Article 15

30. Summarizing the findings of the Australian Law Reform Commission in its report entitled "Equality before the Law", she said that the first part of the report, released in July 1994, had recommended strengthening the Sex Discrimination Act, and had documented women's lack of equal access to justice because of gender, racial and cultural bias and the failure of the legal system

to respond to women's experiences. The report had recommended a number of specific measures to deal with the situation, and state and territory attorneys-general and federal ministers with relevant responsibilities had been asked for their comments on them. However, no decision had been taken regarding a further response because the recommendations regarding amendments to the Sex Discrimination Act had been addressed to some extent in a 1995 amendment to the Act, and because recommendations regarding issues of access to justice had also been addressed in a 1995 Government statement issued in response to the report of the Access to Justice Advisory Committee.

31. The second part of the report, released in December 1994, had recommended enactment of an Equality Act, applicable to men and women and to all laws and levels of government, as the first step in a process leading to the incorporation of equality provisions in the Australian Constitution. It had also contained a number of recommendations on such issues as who should have standing to appear before courts and tribunals, the establishment of a women's equality advocacy fund and the inclusion of gender perspectives in law school curricula. Again, no decision had been taken regarding a further response.

32. Referring to the substantially reduced level of government assistance to entities serving the needs of women, such as telephone help-lines and compensation payments to the victims of violence, she said that the Federal Government did not provide funding for telephone help-lines for victims of domestic violence. Each state and territory had a telephone crisis line for victims of domestic violence which could be called free of charge from anywhere in the state or territory.

Article 16

33. Significant results of the International Year of the Family included the introduction of a Home Childcare Allowance, a Childcare Cash Rebate, a Parenting Allowance and a Maternity Allowance in 1996. The year helped to raise the profile of family issues across the range of activities at all levels of government in Australia.

34. In 1988, the Federal Government had instituted a Child Support Scheme to ensure that non-custodial parents shared the cost of supporting their children according to their capacity to pay and that adequate support was available to all children not living with both parents, to alleviate single-parent poverty, and to limit federal expenditure to the minimum necessary to meet those needs. The Child Support Agency had been set up at the same time to assess, collect and enforce court-ordered child maintenance. The Government was currently reviewing the Child Support Scheme and would ensure that any changes made to it would uphold its principles and protect the interests of children.

35. The law governing the adoption of children in Tasmania was gender-neutral. It allowed a single person to adopt only in exceptional circumstances, so as to protect the rights and interests of the child, which presumably were best served by a child having two parents rather than one. In practice, however, children were adopted by single people in Tasmania, mostly by women. The exceptional circumstances, which were not specified in the legislation, related to the

welfare of the particular child. No information was available on adoption procedures in Australia as a whole.

36. She noted that, contrary to an impression given in the third periodic report, the responsibility for resolving property disputes between de facto spouses had not been transferred to the federal level but had remained with the states and territories, where it was dealt with either by legislation or under the common law. The Attorney-General was currently considering a proposal to transfer that power to the federal level but was reluctant to proceed until the laws governing property disputes of married couples had been settled.

Post-Beijing activities

37. The Office of the Status of Women had been monitoring the implementation of the Platform for Action and had been assisting government departments responsible for various policy areas. A report on that process was available to state governments and non-governmental organizations. Moreover, having initiated the proposal on a conference of commitments prior to the Beijing Conference, Australia planned to absorb its own commitments in that regard within existing portfolio budgets. Those commitments included holding forums on domestic and school violence, providing health services to women, and extending aid to women in Pacific island nations, the Australian Council of Businesswomen and centres for working women.

General comments

38. Ms. CARTWRIGHT acknowledged Australia's leadership in women's issues and in supporting the work of the Committee, but noted a significant decline in the quality of the present periodic report compared with Australia's previous reports. Preparation guidelines established by the Committee had not been followed, and she urged the delegation to maintain closer consultation with the Secretariat in preparing its next periodic report. She expressed disappointment regarding the Government's apparent misunderstanding about the sequence of reports due and the consequent delay in their submission, as well as regarding its continued maintenance of two reservations to the Convention.

39. Ms. BERNARD also expressed concern regarding the Government's reservations to the Convention and the decline in quality of the third periodic report. The statistics on violence against women were cause for alarm, and she urged the Government to adopt more effective measures to combat that phenomenon.

40. Ms. CORTI said that, given Australia's leadership role in championing the cause of women's rights, she was alarmed at the budgetary constraints to which the Australian representative had alluded at the preceding meeting and wished to know what impact they had on the New National Agenda, the national health strategy, family planning policy, the Affirmative Action Agency and the Half Way to Equal project. She was concerned that a dilution of Australia's policy towards women would prove detrimental to women both in Australia and in other countries, particularly those where the political will to improve the status of women was not as strong as in Australia.

41. Ms. ABAKA said that she had been disappointed to learn that the Convention had not been translated into the local languages. The Committee expected developing countries to translate the Convention into local languages and expected no less from Australia. The Beijing Platform for Action also should be translated for the benefit of all inhabitants of a country.

42. Ms. JAVATE DE DIOS expressed concern that developments with respect to politics and economic policy in Australia might have wide-ranging negative effects on the lives of women in that country, in particular, disadvantaged and Aboriginal women. Australia appeared virtually to have abolished many of its milestone initiatives on behalf of women, including steps taken to mainstream gender perspectives via budgetary allocations, an area in which the State party was regarded as a role model by countries in the Asia-Pacific region. She wished to know why the Government deemed such initiatives a failure.

43. Ms. LIN Shangzhen said that the State party should be commended for having adopted formal legislation to introduce affirmative action in the fields of employment and education. While it was encouraging that most major political parties sought out potential women candidates and that women were well represented in Parliament and other decision-making bodies as a result of the most recent federal elections, she asked whether the affirmative action legislation would be amended to incorporate a political element, so that a change of administration would not risk a backlash against women. She also wondered whether affirmative action measures could be expanded specifically to target Aboriginal and minority women, with a view to ensuring their protection in all areas of their lives, in addition to matters relating to health. Lastly, she wished to know how the national machinery for women's issues functioned and what the working relations were between the national machinery and similar state and territory machinery.

Article 5

44. Ms. OUEDRAOGO said that the State party should be commended for having adopted a programme of action on women's issues. Noting that the legislation which had been adopted to reduce violence against women had not had the desired results, she wished to know what the outlook was for women in that regard. The statement on page 23 of the report that women "may be at risk from female genital mutilation practices" was vague; the State party must determine whether women were in fact subject to the practice and, as a matter of priority, should establish an education programme to convince women of the dangers of the practice, particularly since women subjected to it were doubly at risk of contracting AIDS.

45. Ms. CARTWRIGHT said that in its next report the State party should provide a more in-depth evaluation of the effectiveness of its policies to combat domestic violence; such information would provide useful guidance for other countries as well. In view of the disturbing statistics reported by the Australian delegation relating to the high incidence of domestic violence and death rates among Aboriginal and Torres Strait Islander women, the next report should indicate the impact of policies to protect indigenous women and whether domestic violence and homicides in that group had been reduced.

46. She wished to know whether it was true that only $210,000 had been allocated for the prevention of domestic violence, a figure which suggested that such prevention was a low priority. She also enquired whether the reduction in funding for legal aid had had a serious impact on women's access to the courts in domestic violence cases. She wondered whether programmes designed to sensitize the police, health professionals and the judiciary focused on matters relating to women, in particular, domestic and family violence. It was to be hoped that the programme introduced by the Australian Institute of Judicial Administration in the state of Victoria would be extended elsewhere in the country.

47. Ms. GONZALEZ said that, in view of the seriousness of the problem of family violence, she wished to know whether the National Domestic Violence Summit to be held later in the year planned to call for a broad educational campaign to combat family violence that would be directed at the population as a whole, and not only at the judiciary. In its next report, the State party should provide information concerning the penalties applicable to perpetrators of violence against women, including information on their differentiation according to the victim, the gravity of the attack, the victim's age and the victim's relationship to the perpetrator.

Article 6

48. Ms. GONZALEZ said that she would appreciate information concerning the prosecution, under the Crimes (Child Sex Tourism) Amendment Act, 1994, of paedophiles who engaged in sexual conduct with minors while overseas, as well as measures taken to control prostitution, sexual exploitation, trafficking in women and the sale of pornographic literature relating to children.

49. Ms. JAVATE DE DIOS, noting the disturbing data revealed as a result of the monitoring of violence against women, wished to know what impact programmes to combat such violence had had on its prevention. She enquired whether the Government had programmes in place to educate men on issues relating to violence against women. Lastly, she wondered how, in the absence of any monitoring or enforcement mechanisms by the Government, the self-regulatory codes introduced by the broadcasting industry to ensure the positive portrayal of women in the media would be enforced.

Article 6

50. Ms. BUSTELO GARCÍA DEL REAL said that the Australian experience was of special interest to the Committee as legislation on prostitution varied from one state to another. Analytical and comparative information on the different legislations and their impact should be provided in the next report. It would be useful to learn about the social results of the legislation rather than about the legislation itself. For example, it would be interesting to have comparative information on the increase/decrease of prostitution, the occupational health and safety of prostitutes, the incidence of trafficking and violence, and the eradication of child prostitution.

51. Ms. JAVATE DE DIOS referred to a 1995 joint fact-finding mission on the sexual exploitation of Philippine women by Australian men which had made

recommendations with regard to sex tourism organized by syndicates operating in the Philippines. She requested that the next Australian report include information on measures taken to follow up the recommendations.

Article 7

52. Ms. HARTONO wished to know the numbers and percentages of indigenous women in different sectors of the workforce, especially in decision-making positions. She referred, in particular, to business, politics, the legal profession, education, the Civil Service, and the Ministry of Foreign Affairs.

53. Ms. BERNARD requested information on the status of women at all levels of the judiciary; she wished to know in particular whether it had improved since the last report and whether steps were being taken to encourage women to participate in that sector.

54. Ms. FERRER said that she would welcome details of the new strategy to encourage women to participate in public life and further information on the discussion paper on women and government in Australia and New Zealand which analysed why women were not promoted to decision-making positions and proposed a strategy for women to influence the political agenda. She asked whether indigenous women had established any women's association to ensure their involvement in public life.

Article 11

55. Ms. CARTWRIGHT suggested that the next report should contain a full evaluation of the impact of the workplace Relations Act on women, including information as to whether the incidence of part-time work had increased, whether employment benefits had improved or deteriorated, and whether more women were entitled to paid maternity leave.

56. Ms. BARE expressed regret that Australia had been absent from the 1996 meeting of Commonwealth ministers responsible for women's affairs, as those present had hoped to benefit from the guidelines and systems developed by Australia in connection with the Women's Budget Statement. She hoped that Australia would resume its leadership role in advancing the status of women worldwide.

57. Ms. Abaka took the Chair.

Article 12

58. The CHAIRPERSON said that funding should be made available to provide interpretation facilities for non-English-speaking persons who required health care. She asked whether the district courts provided interpretation facilities.

59. Ms. Khan resumed the Chair.

60. Ms. SHALEV, noting that Australia had submitted a lengthy written report on the Beijing Platform for Action and a much more scanty written report on the Convention, pointed out that States parties had a legal obligation to submit

reports under article 18 of the Convention whereas there was no legal obligation requiring Governments to prepare reports on the Beijing Platform for Action.

61. With regard to health services, the next report should contain information on public funding at the federal and state levels and should include an analysis of how the decrease in federal funding for such services had affected women's health services and, in particular, family planning. She commended the Government's efforts to provide health care for indigenous women, but noted that no information had been provided on the health of non-English-speaking women. Such information should be included in the next report together with health indicators for ageing women, women from ethnic minorities, and migrant and non-English-speaking women. She expressed concern that the outlawing of a new, less intrusive procedure for termination of pregnancy constituted a restriction on women's rights to reproductive health. Lastly, she said that she would appreciate the inclusion in the next report of information on the outcome of research studies on reproductive technology.

62. Ms. ACAR observed that Australia was a leader in women's studies and recommended that the Government should support international academic cooperation in that field. She asked to what extent women's studies programmes engaged in research, study and teaching on the history, conditions and problems of the background cultures of immigrant women and whether funding was provided for academic cooperation with the countries of origin of such women.

Article 14

63. Ms. HARTONO, noting that the Government was proposing to distribute to individuals land which was owned on a communal basis by indigenous people, asked what use would be made of that land. She wondered whether, in future, women would be able to own land and to run agribusinesses, which would provide them with a chance to advance and become economically independent.

64. Ms. CARTWRIGHT asked whether the Government intended to ensure that women were guaranteed an equitable share in the redistribution of land. While the Government's desire to respect the autonomy of the indigenous people was commendable, she feared that women would be gravely disadvantaged unless there was a specific policy in that regard.

Article 15

65. Ms AOUIJ said that women needed to be apprised of the content of legislation before they could avail themselves of the protection or benefits such legislation provided. Legal education for poor and indigenous women was therefore especially necessary to ensure equality before the law. The next report should contain information on the outcome of measures to educate women and should indicate whether more women were turning to the courts for protection. It would also be of interest to learn whether steps were being taken to sensitize judges in the area of women's rights.

66. Ms. NAIRN (Australia) said that many of the Committee's questions would be better answered in the next report. However, with regard to domestic violence, she wished to clarify that only 7 per cent of Australian women had experienced

violence in the previous 12 months and the problem was not endemic. It was hoped that the women's safety survey would provide a good basis for action. She also informed the Committee that the national machinery for the advancement of women existed at both the federal and the state level.

67. The CHAIRPERSON observed that the principle of equality of men and women was not embodied in the Constitution and that, although Australia was a developed country, discrimination continued to exist. The Committee welcomed the specific, gender-sensitive actions that the Government was proposing to take to counter discrimination, but was concerned about the possible effects of funding cuts on programmes dealing with women's issues. Consultation, research and media campaigns had done much to counter stereotyping and to promote a positive image of women. Pioneering work had been performed with the introduction of the Women's Budget Statement and the establishment of a data base on women's employment. Nevertheless, the Committee was concerned that recently instituted reforms could nullify the impact of many progressive initiatives. The Government needed to introduce a long-term, coordinated approach to gender policy aimed at implementing the principles of the Convention.

68. The Government's actions with regard to refugee women and women at risk were to be commended, as was the important part which Australia had played at the Beijing Conference. She expressed the Committee's belief that Australia had a vital leadership role to play in the field of women's rights throughout the Asia-Pacific region. The experts welcomed the Government's decision to consider withdrawing one of its reservations to the Convention and agreed that it would be appropriate for Australia to combine its fourth and fifth reports.

The meeting rose at 6.10 p.m.